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Attorneys for Defendants
7 RICHARD E. ROMINE and STRIKER
ENTITIES, LLC, a Wyoming limited liability
8 company

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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 STEPHEN CHESS, LOIS CHESS, BRUCE
13 CALLANDER, JEFF DRAWDY and SUSAN
14 DRAWDY,

15 Plaintiffs,

16 vs.

17 RICHARD E. ROMINE, an individual;
18 STRIKER ENTITIES, LLC, a Wyoming
limited liability company; and DOES 1-10,
inclusive,

19 Defendants.

Case No. 3:18-CV-5098

**NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. § 1441(b) DIVERSITY**

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21 **TO THE CLERK OF THE ABOVE-ENTITLED COURT:**

22 **PLEASE TAKE NOTICE** that defendant(s) Richard E. Romine, an individual
23 (“Romine”) and Striker Entities, LLC, a Wyoming limited liability company (“Striker Entities”),
24 collectively, (“Defendants”) hereby remove to this Court the state court action described below.

25 1. On July 9, 2018, an action was commenced in the Superior Court of the State of
26 California, County of San Francisco, entitled *STEPHEN CHESS, LOIS CHESS, BRUCE*
27 *CALLANDER, JEFF DRAWDY and SUSAN DRAWDY, Plaintiffs, vs. RICHARD E. ROMINE, an*
28 *individual; STRIKER ENTITIES, LLC, a Wyoming limited liability company; and DOES 1-10,*

1 *inclusive, Defendants, as Case Number CGC-18-567921. A true and correct copy of the*
2 *complaint commencing this Action is attached hereto as Exhibit A, (the “Complaint”).*

3 2. The first date upon which defendant Romine received a copy of the Complaint was
4 July 21, 2018 when Romine was personally served at his residence in Shawnee, Pottawatomie
5 County, Oklahoma with a copy of the Complaint (Exhibit A hereto) and a summons from the
6 California Superior Court. A true and correct copy of the summons received by Romine on July
7 21, 2018 is attached hereto as Exhibit B.

8 3. Romine was also personally served in Oklahoma on July 21, 2018 with a “Notice to
9 Plaintiff” of a Case Management Conference set for December 12, 2018, a Case Management
10 Statement form, an “ADR Package”, and a Stipulation to Alternative Dispute Resolution form.
11 True and correct copies of the Notice to Plaintiff, the Case Management Statement form, the ADR
12 Package and the Stipulation to Alternative Dispute Resolution form received by Romine are
13 attached hereto as Exhibits C, D, E and F.

14 4. Thereafter, Striker Entities’ agent for service of process located in Cheyenne,
15 Wyoming was personally served with a copy of the Complaint (Exhibit A hereto) and a summons
16 from the California Superior Court on July 26, 2018. A true and correct copy of the summons
17 received by Striker Entities’ agent for service of process on July 26, 2018 is attached hereto as
18 Exhibit G.

19 5. Striker Entities’ agent for service of process located in Cheyenne, Wyoming was
20 also personally served on July 26, 2018 with a “Notice to Plaintiff” of a Case Management
21 Conference set for December 12, 2018, a Case Management Statement form, an “ADR Package”,
22 and a Stipulation to Alternative Dispute Resolution form. True and correct copies of the Notice to
23 Plaintiff, the Case Management Statement form, the ADR Package and the Stipulation to
24 Alternative Dispute Resolution form received by Striker Entities are attached hereto as Exhibits H,
25 I, J and K.

26 6. **JURISDICTION.** This Action is a civil action of which this Court has original
27 jurisdiction under 28 U.S.C. §1332, and is one which may be removed to this Court by Defendants
28 pursuant to the provisions of 28 U.S.C. §1441 (b) in that it is a civil action between citizens of

1 different states and the matter in controversy exceeds the sum of \$75,000.00, exclusive of interest
2 and costs.

3 A. The combined amounts owed by plaintiffs Stephen Chess, Lois Chess, Bruce
4 Callander, Jeff Drawdy and Susan Drawdy (collectively, "Plaintiffs") to defendant Striker Entities
5 and/or other entities owned and managed by Romine under the promissory notes which Plaintiffs
6 by the Complaint seek to rescind and avoid repayment thereof presently total \$2,043,403.00 in
7 principal, exclusive of interest and attorneys' fees. By their Complaint, Plaintiffs also seek
8 compensatory damages, exemplary and punitive damages, and restitution of the amounts invested
9 by them in connection with the aforementioned promissory notes. Further, the principal amounts
10 owed by each of the Plaintiffs to Striker Entities (and/or other entities owned and managed by
11 Romine) under their respective promissory notes is as follows:

12 i. Stephen Chess, individually:

13 1998 Note: \$42,707.00;

14 2000 Note: \$177,929.00;

15 2001 Note: \$87,579.00;

16 2004 Note: \$195,478.00; and

17 2008 Note B: \$240,578.00, for a total of \$744,271.00 in total principal due.

18 ii. Stephen Chess and Lois Chess, jointly and severally:

19 2005 Note : \$279,246.00, for a total of \$279,246.00 in total principal due.

20 iii. Bruce Callander:

21 2002/2003 Notes (combined): \$116,634.00;

22 2004 Note: \$260,637.00; and

23 2005 Note: \$279,246.00, for a total of \$656,517.00 in total principal due.

24 iv. Jeff Drawdy and Susan Drawdy, jointly and severally:

25 1999 Note: \$130,406.00;

26 2000 Note, \$35,586.00;

27 2001/2002 Notes (combined): \$90,690.00;

28 2004 Note: \$32,580.00; and

1 2005 Note: \$13,962.00, for a total of \$303,224.00 in total principal due.

2 v. Susan Drawdy, individually: 2008 Note B in the amount of \$60,145.00.

3 B. Complete diversity of citizenship exists in that (a) Plaintiffs are all citizens of the
4 State of California; (b) Defendant Romine is a citizen of the State of Oklahoma; and (c) Defendant
5 Striker Entities is a Wyoming limited liability company, formed under the laws of the State of
6 Wyoming and having its principal place of business in Shawnee, Pottawatomie County,
7 Oklahoma. Romine and Striker Entities are the only defendants that have been served with the
8 summons and Complaint in this Action. Striker Entities' sole member and manager is Romine
9 who is a citizen of the State of Oklahoma, as set forth above.

10 7. **INTRADISTRICT ASSIGNMENT.** Removal to the San Francisco Division of
11 this District Court is proper in that the Action is being removed from the Superior Court of the
12 State of California, County of San Francisco where the Complaint was originally filed.

13 8. A copy of the proof of service filed by Plaintiffs with the California Superior Court
14 pertaining to service on Romine of the summons, the Complaint and the documents attached
15 hereto as Exhibits C-F is attached hereto as Exhibit L.

16 9. A copy of the proof of service filed by Plaintiffs with the California Superior Court
17 pertaining to service on Striker Entities of the summons, the Complaint and the documents
18 attached hereto as Exhibits H-K is attached hereto as Exhibit M.

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20 DATED: August 20, 2018

SEVERSON & WERSON
A Professional Corporation

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By: /s/ Eleanor M. Roman

Eleanor M. Roman

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Attorneys for Defendants RICHARD E. ROMINE and
STRIKER ENTITIES, LLC, a Wyoming limited
liability company

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